

Merit Systems Protection Board

Performance Plan

Fiscal Year 2003 (Revised Final) & Fiscal Year 2004 (Final)



February 3, 2003

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**Merit Systems Protection Board
Performance Plan
FY 2003 and FY 2004**

MISSION

The Merit Systems Protection Board (MSPB) is an independent quasi-judicial agency established to protect Federal merit systems against partisan political and other prohibited personnel practices and to ensure adequate protection for employees against abuses by agency management. The Board carries out its statutory mission principally by:

- Adjudicating employee appeals of personnel actions over which the Board has jurisdiction, such as removals, suspensions, furloughs, and demotions;
- Adjudicating employee complaints filed under the Whistleblower Protection Act, the Uniformed Services Employment & Reemployment Rights Act (USERRA), and the Veterans Employment Opportunities Act;
- Adjudicating cases brought by the Special Counsel, principally complaints of prohibited personnel practices and Hatch Act violations;
- Adjudicating requests to review regulations of the Office of Personnel Management (OPM) that are alleged to require or result in the commission of a prohibited personnel practice—or reviewing such regulations on the Board’s own motion;
- Ordering compliance with final Board orders where appropriate; and
- Conducting studies of the Federal civil service and other merit systems in the Executive Branch to determine whether they are free from prohibited personnel practices.

In its Strategic Plan for FY 2001 – 2006, the Board has established five strategic goals for the accomplishment of its mission. These goals are set forth in the following pages, together with their associated performance goals for FY 2003 and FY 2004.

OVERVIEW OF PERFORMANCE PLAN

The MSPB Performance Plan for FY 2003 (Revised Final) and FY 2004 (Final) is the first to be submitted under Chairman Susanne T. Marshall. President Bush appointed Ms. Marshall Chairman of the Board on August 6, 2002. She had served as Acting Chairman since February 7, 2002, when President Bush designated her Vice Chairman and subsequently submitted her nomination to be Chairman to the United States Senate. (The Vice Chairman of the Board serves as Acting Chairman when the position of Chairman is vacant.) In April 2002, Ms. Marshall appointed Richard Banchoff to the position of Chief of Staff.

Under the direction of the new Chairman and Chief of Staff, a thorough review of the MSPB Performance Plan was conducted. The aim of the review was to streamline the Performance Plan by focusing performance goals on the Board's two statutory programs—adjudication and studies—and eliminating goals that are not critical to the agency's conduct of those programs. Actual experience with the goals during the past two years was reviewed, and those that did not meet the statutory criteria of being “objective, quantifiable, and measurable,” or that developed no particularly meaningful results, were eliminated. Because those revisions affected certain objectives and other information in the currently effective Strategic Plan (FY 2001-FY 2006), an interim adjustment to the Strategic Plan is included as a separate section of this Performance Plan.

The MSPB Performance Plan was also reviewed in relation to the President's Management Agenda. The MSPB, as a small agency, did not receive a “management scorecard” from the Administration. Nevertheless, the agency believes that its Performance Plan is responsive to the five items in the President's Management Agenda, as discussed below.

Human Capital Management - The MSPB Performance Plan includes goals that reflect the agency's current plans with respect to enhancing its employee and management development programs, creating new mentoring programs, and developing new recruitment strategies. These plans are aimed at enabling the agency to maintain a highly qualified, diverse workforce in the face of the expected retirements of many experienced staff members in the next few years.

Expanding E-Government – The MSPB Performance Plan includes a number of goals for use of the Internet and other electronic media to enhance transactions with the agency's customers, as well as goals for using information technology to improve internal processes. Among these are goals for electronic filing of appeals through a web-based application (e-Appeal), implementing new internal case processing systems, making information available to customers in electronic form, and improving computer security.

Competitive Sourcing – The majority of MSPB FTE are engaged in inherently governmental functions, principally the adjudication of cases. The MSPB has interagency agreements with other Federal agencies for the performance of its payroll, administrative payments, accounting, and human resources management functions. The MSPB also has an interagency agreement with the National Labor Relations Board for adjudication of certain cases that must be heard by administrative law judges. In addition, the agency has used private contractors for development of each of the components of the planned electronic case processing system. The MSPB would require approximately 15 percent more staff if it did not have the interagency agreements and contracts for these functions.

Financial Management – Since June 1, 2002, administrative payments and accounting services have been provided under an interagency agreement with a new provider—the Bureau of Public Debt (BPD)—that is compliant with GAO auditing standards. In addition, the BPD uses more up-to-date software so that MSPB financial reports are both more timely and more flexible.

Integrating Budget and Performance – The MSPB has aligned its Strategic and Performance Plans with its budget presentation, which is organized around three budget activities, Adjudication, Studies, and Management Support. As a result, the agency's costs can easily be compared with its performance goals and results.

With respect to goals for FY 2003, this Performance Plan assumes that the FY 2003 appropriation for the MSPB, when enacted, will be for the amount requested. With respect to goals for FY 2004, the Plan is consistent with the President's request for that fiscal year.

GUIDE TO MSPB OFFICE FUNCTIONS AND ACRONYMS

All offices operate under the direction of the Chairman as CEO and report to the Chairman through the Chief of Staff, who also serves as the Chief Information Officer.

ORO	<u>Office of Regional Operations</u> – Manages the adjudicatory and administrative functions of the MSPB regional offices. Administrative judges in the regional offices adjudicate cases and issue initial decisions.
ALJ	<u>Office of the Administrative Law Judge</u> – Adjudicates complaints filed by the Special Counsel, complaints filed by agencies against administrative law judges, and other assigned cases, and issues initial decisions.
OAC	<u>Office of Appeals Counsel</u> – Prepares proposed final decisions for the Board on petitions for review (PFRs) of initial decisions.
OCB	<u>Office of the Clerk of the Board</u> – Dockets cases received at headquarters and issues all Board decisions. Operates public information center, including responsibility for the MSPB website and other electronic information programs.
OGC	<u>Office of the General Counsel</u> – Legal advisor to the Board. Conducts the Board’s litigation. Prepares proposed final decisions for the Board in certain assigned cases.
OPE	<u>Office of Policy and Evaluation</u> – Conducts the Board’s governmentwide merit systems studies. Also conducts customer surveys.
FAM	<u>Financial and Administrative Management</u> – Manages financial and administrative programs, including budget, procurement, and contracting. Manages interagency agreements with APHIS Business Services for performance of HRM functions, Bureau of the Public Debt (BPD) for accounting services, and National Finance Center (NFC) for payroll services.
IRM	<u>Information Resources Management</u> – Manages information technology programs. Principal advisor to CIO on IT matters. Responsible for technical requirements of electronic case processing system and electronic information programs.
OEEEO	<u>Office of Equal Employment Opportunity</u> – Manages EEO program.

BUDGET ACTIVITY: ADJUDICATION – STRATEGIC PLAN GOALS 1 & 2

FY 2004 - \$30.8 Million Requested

FY 2003 - \$29.8 Million Requested

FY 2002 - \$28.5 Million Actual

Strategic Plan Goal 1 To consistently provide fair, timely, and efficient adjudication of cases filed with the Board		
Objective 1 – Issue high quality decisions		
Performance Goals	Component	Experience
Goal 1.1.1 Maintain/reduce low percentage of cases decided by the Board on petition for review (PFR) that are reversed and/or remanded to MSPB judges for a new decision FY 2003 Goal – 10 % or less FY 2004 Goal – 10 % or less	Board, ORO/Regional Offices, ALJ	FY 1999 Actual – 15 % FY 2000 Actual – 12 % FY 2001 Actual – 12.6 % FY 2002 Actual – 8 %
Goal 1.1.2 (Revised) Maintain/reduce low percentage of proposed decisions submitted by headquarters legal offices to the Board that are returned for rewrite FY 2003 Goal – 12 % or less FY 2004 Goal – 12 % or less	Board, OAC, OGC	FY 1999 Actual – 14 % FY 2000 Actual – 9 % FY 2001 Actual – 15 % FY 2002 Actual – 8 %

Objective 1 (continued)		
Performance Goals	Component	Experience
Goal 1.1.3 (Revised and renumbered – previously 1.1.4) Maintain high percentage of Board decisions unchanged on review by the U.S. Court of Appeals for the Federal Circuit (Court dismisses case or affirms Board decision) FY 2003 Goal – 93 % or greater FY 2004 Goal – 93 % or greater	Board, ORO/Regional Offices, ALJ, OAC, OGC	FY 1999 Actual – 93 % FY 2000 Actual – 96 % FY 2001 Actual – 96 % FY 2002 Actual – 93 %

Objective 2 – Issue timely decisions at both the regional office and Board headquarters levels		
Performance Goals	Component	Experience
Goal 1.2.1 Maintain average case processing time for initial decisions issued in regional offices FY 2003 Goal – 100 days or less FY 2004 Goal – 100 days or less	ORO/Regional Offices	FY 1999 Actual – 100 days FY 2000 Actual – 89 days FY 2001 Actual – 92 days FY 2002 Actual – 96 days
Goal 1.2.2 Maintain/reduce average case processing time for decisions on PFRs issued by the Board FY 2003 Goal – 190 days or less FY 2004 Goal – 190 days or less	Board, OAC, OGC, OCB	FY 1999 Actual – 222 days FY 2000 Actual – 176 days FY 2001 Actual – 214 days FY 2002 Actual – 205 days

Objective 2 (continued)		
Performance Goals	Component	Experience
<p>Goal 1.2.3 (Renumbered – previously 1.2.4) Reduce number of cases pending at headquarters for more than 300 days</p> <p>FY 2003 Goal – 46 cases or fewer</p> <p>FY 2004 Goal – 46 cases or fewer</p>	Board, OAC, OGC, OCB	<p>FY 1999 Actual – 77 cases (not including 15 enforcement cases) pending more than one year (365 days) at year-end</p> <p>FY 2000 Actual – 53 cases pending more than 300 days at year-end (target was lowered from 365 days to 300 days midway through FY 2000 and enforcement cases were added)</p> <p>FY 2001 Actual – 45 cases pending more than 300 days at year-end</p> <p>FY 2002 Actual – 61 cases pending more than 300 days at year-end</p>

Objective 3 – Hold increase in overall average case processing costs to no more than the percentage increase in operating costs, adjusted for the changes in the number of decisions issued.		
Performance Goals	Component	Experience
<p>Goal 1.3.1 (Renumbered – previously 1.3.2)</p> <p>Hold increase in overall average case processing costs to no more than the percentage increase in operating costs, adjusted for the changes in the number of decisions issued</p> <p>FY 2003 Goal – \$2,821 plus percentage increase in operating costs, adjusted for the changes in the number of decisions issued.</p> <p>FY 2004 Goal – FY 2003 dollar amount plus percentage increase in operating costs, adjusted for the changes in the number of decisions issued</p>	Board, All Legal Offices	<p>FY 1999 Actual – \$2,775</p> <p>FY 2000 Actual – \$2,876 (Adjusted)</p> <p>FY 2001 Actual – \$2,820 (Adjusted)</p> <p>FY 2002 Actual – \$2,821 (Adjusted)</p>

Objective 4 – Obtain customer input regarding the adjudicatory process		
Performance Goals	Component	Experience
<p>Goal 1.4.1 Continue to evaluate and implement, as appropriate, suggestions received from customer surveys regarding the adjudicatory process</p> <p>FY 2003 Goal – Seek feedback from persons appearing before the Board and provide that feedback to ORO for use in improving adjudicatory processes and developing best practices (Regional and Field Office staff)</p> <p>FY 2004 Goal – Continue to conduct customer surveys and implement suggestions as appropriate</p>	<p>Board, All Legal Offices, OPE</p>	<p>FY 1999 Actual – Revised PFR Form in response to suggestions from customer survey</p> <p>FY 2000 Actual – Conducted survey on experience of parties and MSPB judges with bench decisions and video hearings</p> <p>FY 2001 Actual – Evaluated and published results of survey on experience of parties and MSPB judges with bench decisions and video hearings; bench decisions and video hearings incorporated into MSPB adjudicatory procedures</p> <p>FY 2002 Actual – Conducted survey of customers of new video explaining MSPB appeals process; report on findings prepared by OPE and reviewed by ORO</p>

Revisions to Performance Goals:

Goal 1.1.2 and Renumbered Goal 1.1.3 – OCB has been deleted as a “Component” responsible for the achievement of these goals. OCB was included previously because that office prepared proposed final decisions for the Board in the Expedited Petition for Review (PFR) Pilot Program. On March 1, 2002, the responsibility for conducting that program was reassigned to OAC.

Former Goals 1.1.3 and 1.1.4 – The former Goal 1.1.3 has been deleted, and former Goal 1.1.4 has been renumbered 1.1.3. Both of these goals used outcomes of reviews of final Board decisions by the U.S. Court of Appeals for the Federal Circuit to measure the quality of final Board decisions. Because a single goal is sufficient for this purpose, only the former Goal 1.1.4 has been retained (and renumbered).

Former Goals 1.2.3 and 1.2.5 – The former Goals 1.2.3 and 1.2.5 have been deleted. Both of these goals focused on the processing of enforcement cases at headquarters. Such cases constitute only a small part of the headquarters caseload—only 62 cases out of a total of about 1,300 headquarters cases decided in FY 2002. While a few enforcement cases were among the oldest pending cases at headquarters, the Board’s efforts in the past two years to focus attention on closing overage enforcement cases have been successful. Therefore, performance goals focused solely on enforcement cases are no longer necessary in the Performance Plan. Enforcement cases are *included* in the total number of cases pending at headquarters for more than 300 days in renumbered Goal 1.2.3 (previously 1.2.4).

Renumbered Goal 1.2.3 – The former Goal 1.2.4 has been renumbered 1.2.3.

Former Goal 1.3.1 – The former Goal 1.3.1 has been deleted. The Board continues to use video hearings and telephone hearings, where appropriate. Because such use has been incorporated into the Board’s standard adjudicatory procedures, a specific performance goal is no longer necessary.

Renumbered Goal 1.3.1 – The former Goal 1.3.2 has been renumbered 1.3.1.

Goal 1.4.1 – The goal for FY 2003 has been revised to reflect specific plans for seeking customer feedback in that year.

Former Goal 1.4.2 – The goal of incorporating the suspended case procedure into the Board’s standard adjudicatory procedures was completed in FY 2002.

Strategic Plan Goal 2 To make effective use of alternative methods of dispute resolution in Board proceedings		
Objective 1 – Continue the successful use of alternative dispute resolution (ADR) procedures in MSPB proceedings at both the regional office and Board headquarters levels		
Performance Goals	Component	Experience
Goal 2.1.1 Maintain rate of settlement of initial appeals that are not dismissed at 50 % or higher FY 2003 Goal – 50 % or higher FY 2004 Goal – 50 % or higher	ORO/Regional Offices	FY 1999 Actual – 53 % FY 2000 Actual – 55 % FY 2001 Actual – 57 % FY 2002 Actual – 54 %
Goal 2.1.2 Maintain rate of settlement of cases selected for PFR Settlement Program at 25 % or higher FY 2003 Goal – 25 % or higher FY 2004 Goal – 25 % or higher	OAC	FY 1999 Actual – 27 % FY 2000 Actual – 24 % FY 2001 Actual – 27 % FY 2002 Actual – 26 %

Objective 1 (continued)		
Performance Goals	Component	Experience
<p>Goal 2.1.3 (New) Implement pilot program to test use of mediation in resolving initial appeals</p> <p>FY 2003 Goal – Conduct additional training for mediators; conduct training for MSPB staff in the regional offices that will serve as pilot sites; conduct outreach to potential participants in the mediation process; accept cases for mediation; evaluate results achieved by pilot program</p> <p>FY 2004 Goal – To be determined, depending on results of evaluation of pilot program</p>	<p>Mediation Appeals Project (MAP) Manager; all Legal Offices</p>	<p>FY 1999 Actual – Not applicable</p> <p>FY 2000 Actual – Not applicable</p> <p>FY 2001 Actual – Conducted mediation training at MSPB Legal Conference; established ADR Working Group, which met with ADR experts, prepared statement of work for mediation training and development of an ADR program, and selected contractor</p> <p>FY 2002 Actual – Worked with contractor to develop Mediation Appeals Project (MAP); announced MAP to all MSPB employees and solicited applications to be a mediator; selected mediators and conducted training; promoted MAP through outreach activities; established MAP marketing program; first two co-mediations completed by MAP-trained mediators working with contractor</p>

Revisions to Performance Goals:

New Goal 2.1.3 – This goal was developed from the portion of former Goal 2.2.3 dealing with the establishment of the ADR Working Group and the incorporation of additional ADR techniques into MSPB settlement programs. The impetus for establishment of the ADR Working Group was the introduction of legislation that would have authorized the Board to conduct a pilot program to test the use of ADR in the early stages of a personnel dispute, *before* an appeal is filed with the MSPB. Because that legislation was not enacted, the ADR Working Group focused on incorporating a broader range of ADR techniques into current MSPB processes. The result of that work was the development of the new Mediation Appeals Project (MAP), which the Board began to implement in FY 2002 and will continue in FY 2003. Under the MAP, the parties to an appeal filed with an MSPB regional or field office are offered the opportunity to submit their dispute to a trained mediator. If the dispute cannot be resolved through that mediation, the appeal will be returned to the regular adjudication process. The MAP is a supplement to, not a replacement for, the Board’s existing settlement programs. The “Component” column has been revised to include the MAP Manager.

Former Goal 2.1.3 – The former Goal 2.1.3 has been deleted. Experience with this goal over the past two years has demonstrated that it does not produce particularly useful performance information. Current MSPB settlement programs have been in effect for many years, and cost savings from those programs are reflected in budget requests that are significantly lower than they would have been had such programs not been in effect.

Former Goal 2.1.4 – The former Goal 2.1.4 has been deleted. OAC regularly responds to initial inquiries concerning the PFR Settlement Program within 48 hours, so this performance goal is no longer necessary.

Former Objectives 2 and 3 and Associated Goals – Objectives 2 and 3 and their associated goals (former 2.2.1, 2.2.2, 2.2.3, and 2.3.1) have been deleted because legislation authorizing the Board to conduct a voluntary early intervention ADR pilot program was not enacted. As explained above, the portion of former Goal 2.2.3 dealing with the establishment of the ADR Working Group and the incorporation of ADR techniques into current MSPB settlement programs has been moved to become new Goal 2.1.3. The description of Strategic Plan Goal 2 has also been revised by deleting the portion of it that read: “and to promote through education, outreach, and other appropriate means the use of alternative methods of dispute resolution and avoidance in the early stages of a dispute.” Under the Administrative Dispute Resolution Act (ADRA), it is the responsibility of individual agencies to establish ADR programs for the resolution of disputes to which the agency is a party.

BUDGET ACTIVITY: MERIT SYSTEMS STUDIES – STRATEGIC PLAN GOAL 3

FY 2004 - \$1.1 Million Requested

FY 2003 - \$1.0 Million Requested

FY 2002 - \$1.1 Million Actual

Strategic Plan Goal 3 To provide information, analyses, and recommendations on Federal personnel programs, policies, and initiatives to policymakers, Federal agencies and employees, and others with an interest in Federal human resources management		
Objective 1 – Conduct governmentwide merit systems studies that provide information on, and analyses of, the state of Federal merit systems and the Federal workforce to policymakers, Federal agencies and employees, and others with an interest in Federal human resources management; raise the level of consciousness and initiate or participate in the debate about implementing and maintaining effective human resources management programs, policies, and practices that adhere to the merit system principles (Revised)		
Performance Goals	Component	Experience
Goal 3.1.1 (Revised) Conduct studies of human resources management matters in the Federal Government and issue reports of findings and recommendations for action, where appropriate See page 17 for FY 2003 and FY 2004 goals	Board, OPE	FY 1999 Actual – See next page FY 2000 Actual – See next page FY 2001 Actual – See next page FY 2002 Actual – See page 17

Objective 1 (continued)		
Performance Goals	Component	Experience
<p>Goal 3.1.1 (continued)</p> <p>Conduct studies of human resources management matters in the Federal Government and issue reports of findings and recommendations for action, where appropriate</p> <p>See next page for FY 2003 and FY 2004 goals</p>	Board, OPE	<p>FY 1999 Actual – Conducted ongoing program of merit systems studies, including issuance of 2 major reports and 4 editions of newsletter; responded to more than 200 individual and institutional requests for data runs, advisory assistance, and other studies-related information</p> <p>FY 2000 Actual – Conducted ongoing program of merit systems studies, including issuance of 2 major reports and 5 editions of newsletter; responded to about 250 individual and institutional requests for data runs, advisory assistance and other studies-related information</p> <p>FY 2001 Actual – Conducted ongoing program of merit systems studies, including issuance of 1 major study report and 4 editions of newsletter (3 additional major study reports were completed and submitted to the Board for approval); responded to about 250 individual and institutional requests for data runs, advisory assistance and other studies-related information</p>

Objective 1 (continued)		
Performance Goals	Component	Experience
<p>Goal 3.1.1 (continued)</p> <p>Conduct studies of human resources management matters in the Federal Government and issue reports of findings and recommendations for action, where appropriate</p> <p>FY 2003 Goal – Develop long-term research agenda for in-depth studies, focusing on broad HRM issues; publish at least 6 major reports and a quarterly newsletter; conduct less intensive studies on current topics of particular interest to the President and Congress; improve access to CPDF; explore use of electronic surveys; formalize collaborative relationships with other research organizations</p> <p>FY 2004 Goal – Review long-term research agenda and adjust, as necessary; publish at least 6 major reports and a quarterly newsletter; conduct less intensive studies on current topics of particular interest to the President and Congress; continue to explore use of electronic surveys; continue to formalize collaborative relationships with other research organizations</p>	Board, OPE	<p>FY 2002 Actual – Conducted ongoing program of merit systems studies, including issuance of 4 major study reports and 4 editions of newsletter; responded to about 250 individual and institutional requests for data runs, advisory assistance and other studies-related information</p>

Objective 1 (continued)		
Performance Goals	Component	Experience
<p>Goal 3.1.2 (Revised)</p> <p>Ensure that reports of studies are made widely available, particularly to target audiences, and disseminate findings through such means as personal appearances, personal contacts, publication of articles by OPE staff, and collaboration with other research organizations to increase impact of studies</p> <p>See next page for FY 2003 and FY 2004 goals</p>	OPE	<p>FY 1999 Actual – Approximately 15,800 copies of reports and newsletters distributed; estimated 30,000 downloads from the MSPB website and other websites; approximately 20 formal presentations made to groups; 4 articles by OPE staff published in professional journals; ongoing contacts with appropriate individuals and organizations maintained</p> <p>FY 2000 Actual – Approximately 12,000 copies of reports and newsletters distributed; estimated 35,000 downloads from the MSPB website and other websites; over 30 formal presentations made to groups; 3 articles by OPE staff published in professional journals; ongoing contacts similar to FY 1999</p> <p>FY 2001 Actual – More than 55,000 copies of reports and newsletters distributed in printed form and downloaded from the MSPB website and other websites; over 30 formal presentations made to groups; more than 500 discussions with individuals</p> <p>FY 2002 Actual – See next page</p>

Objective 1 (continued)		
Performance Goals	Component	Experience
<p>Goal 3.1.2 (continued)</p> <p>Ensure that reports of studies are made widely available, particularly to target audiences, and disseminate findings through such means as personal appearances, personal contacts, publication of articles by OPE staff, and collaboration with other research organizations to increase impact of studies</p> <p>FY 2003 Goal – Target management groups and other audiences for outreach presentations on studies; ensure that appropriate association membership lists are included in mailing list for studies; expand exposure through FEBs in collaboration with MSPB regional and field offices; improve website presence of studies, expand website links to research partners, and provide self-service updates to mailing list</p> <p>FY 2004 Goal – Target management groups and other audiences for outreach presentations on studies; ensure that appropriate association membership lists are included in mailing list for studies; expand exposure through FEBs in collaboration with MSPB regional and field offices; improve website presence of studies, expand website links to research partners, and provide self-service updates to mailing list</p>	OPE	<p>FY 2002 Actual – Over 100,000 copies of reports and newsletters distributed in printed form and downloaded from the MSPB website and other websites; more than 500 subscribers to Studies listserv since its implementation early in FY 2002; 23 formal presentations made to groups, including meetings held with Federal Executive Boards (FEBs) in Chicago, Denver, and San Antonio; approximately 350 discussions with individuals</p>

Objective 1 (continued)		
Performance Goals	Component	Experience
<p>Goal 3.1.3 (Revised – incorporates previous Goal 3.1.4)</p> <p>Evaluate impact of studies, newsletters, and other products through feedback from customer surveys, tracking use of recommendations or references in studies, policy papers, professional literature, and the media</p> <p>See next page for FY 2003 and FY 2004 goals</p>	OPE	<p>FY 1999 Actual – Results of formal customer survey published—results showed 85 % or better agreement on key questions of relevance, usefulness, and practicality of findings and recommendations in studies; MSPB studies continued to have large and positive impact, as measured by references in professional literature, media, and respected research organizations</p> <p>FY 2000 Actual – Informal survey results and volunteered feedback remained positive; MSPB studies continued to have large and positive impact, as measured by references in professional literature, media, and respected research organizations</p> <p>FY 2001 Actual – See next page</p> <p>FY 2002 Actual – See next page</p>

Objective 1 (continued)		
Performance Goals	Component	Experience
<p>Goal 3.1.3 (continued)</p> <p>Evaluate impact of studies, newsletters, and other products through feedback from customer surveys, tracking use of recommendations or references in studies, policy papers, professional literature, and the media</p> <p>FY 2003 Goal – Recommendations in studies are used and opinion makers cite them in studies, policy papers, professional literature, and the media</p> <p>FY 2004 Goal – Conduct formal survey that repeats key questions of earlier customer surveys; recommendations in studies are used and opinion makers cite them in studies, policy papers, professional literature, and the media</p>	OPE	<p>FY 2001 Actual – Submitted request for blanket authority to conduct customer surveys to OMB and received approval; submitted survey instrument to OMB for review; list of citations and references to MSPB studies and recommendations by Congress, GAO, NAPA, the professional literature, the media, and other credible sources was developed, indicating that MSPB studies continued to have large and positive impact</p> <p>FY 2002 Actual – Conducted customer survey, compiled returns, and completed report; customer satisfaction survey results and collection of citations indicate substantial positive impact; sent selected recommendations from earlier studies to Volcker Commission on civil service reform</p>

Objective 2 – Determine through merit systems studies the extent to which Executive Branch departments and agencies operate in a manner consistent with the statutory merit system principles and the extent to which prohibited personnel practices occur in the Federal workplace		
Performance Goals	Component	Experience
<p>Goal 3.2.1</p> <p>Conduct a triennial Merit Principles Survey, including questions intended to determine whether agencies adhere to the merit system principles and the extent to which prohibited personnel practices occur in the workplace, and report findings</p> <p>FY 2003 Goal – Conduct 2003 Merit Principles Survey and analyze and evaluate results</p> <p>FY 2004 Goal – Issue report on 2003 Merit Principles Survey</p>	Board, OPE	<p>FY 1999 Actual – Not applicable</p> <p>FY 2000 Actual – 2000 Merit Principles Survey conducted; analyzing and evaluating results begun</p> <p>FY 2001 Actual – Completed analyzing and evaluating results of the 2000 Merit Principles Survey; released findings through the <i>Issues of Merit</i> newsletter and OPE staff presentations and discussions</p> <p>FY 2002 Actual – Prepared report on 2000 Merit Principles Survey</p>

Revisions to Performance Goals:

Revised Objective 1 and Goal 3.1.1 – Minor changes in wording have been made to clarify both the objective and the goal. In addition, the goal for FY 2003 has been expanded to include several new components. The MSPB intends to develop a long-term research agenda that focuses on broad HRM issues, such as pay/compensation, labor relations, employee and organizational performance, and agency workforce planning/restructuring. The number of in-depth reports to be issued during FY 2003 has been increased from 4 to 6. The MSPB also plans to conduct less intensive studies on current topics of particular interest to the President and Congress, such as topics related to the President’s Management Agenda, the National Commission on the Public Service, and initiatives of the President and the Congress. The MSPB plans to explore ways to improve the conduct of its studies, including gaining improved access to the Central Personnel Data File (CPDF) maintained by OPM and testing the use of electronic surveys. In

addition, the MSPB will seek to formalize its collaborative relationships with other research organizations. Most components of the expanded goal for FY 2003 are continued in the goal established for FY 2004.

Revised Goal 3.1.2 – The goal for FY 2003 has been revised to change the focus from number of reports distributed, number of reports downloaded from the website, and number of outreach presentations. Instead, the revised goal focuses on specific efforts to target outreach activities on studies to key audiences, such as the Senior Executives Association, the Federal Managers Association, Federal Executive Boards, and others. The revised goal also supports expanded efforts to use the MSPB website to increase the exposure of the Board’s studies, as well as to make other website enhancements such as expanded links to research partners and self-service updates to the studies mailing list. (NOTE: The actual results shown in the “Experience” column reflect the statement of the goal prior to its revision.)

Revised Goal 3.1.3 (former Goals 3.1.3 and 3.1.4) – Former Goals 3.1.3 and 3.1.4 have been combined into a single goal for evaluating the impact of MSPB studies, newsletters, and other products, with minor changes in wording. The portion of the goal for FY 2003 regarding analyzing the results of the latest customer survey and implementing improvement efforts has been deleted because that work was completed in FY 2002. The remainder of the goal for FY 2003 is unchanged, and the goal for FY 2004 calls for conducting another formal customer survey in that year.

BUDGET ACTIVITY: MANAGEMENT SUPPORT – STRATEGIC PLAN GOALS 4 & 5

FY 2004 - \$3.7 Million Requested

FY 2003 - \$3.5 Million Requested

FY 2002 - \$3.4 Million Actual

Strategic Plan Goal 4 To strengthen the MSPB’s internal systems and processes to support a continually improving, highly effective and efficient organization with the flexibility to meet program needs		
Objective 1 – Develop and implement an integrated electronic case processing system that allows appellants and agencies to file and receive documents electronically and streamlines internal case processing (Revised and renumbered – combines previous Objectives 3 and 4)		
Performance Goals	Component	Experience
Goal 4.1.1 (Revised and renumbered – combines previous Goals 4.3.1 and 4.4.1) Develop integrated electronic case processing system that offers electronic access to customers as required by the Government Paperwork Elimination Act (GPEA) and streamlines internal case processing in accordance with MSPB’s long-term Strategic IT Plan See page 26 for FY 2003 and FY 2004 goals	Chairman, Chief of Staff, OCB, IRM, FAM	FY 1999 Actual – See next page FY 2000 Actual – See next page FY 2001 Actual – See page 26 FY 2002 Actual – See page 26

Objective 1 (continued)		
Performance Goals	Component	Experience
<p>Goal 4.1.1 (continued)</p> <p>Develop integrated electronic case processing system that offers electronic access to customers as required by the Government Paperwork Elimination Act (GPEA) and streamlines internal case processing in accordance with MSPB's long-term Strategic IT Plan</p> <p>See next page for FY 2003 and FY 2004 goals</p>	<p>Chairman, Chief of Staff, OCB, IRM, FAM</p>	<p>FY 1999 Actual – General requirements for document management, document assembly, and case management systems developed; vendors evaluated; Docs Open selected for document management; Hot Docs selected for document assembly; Law Manager selected for case management</p> <p>FY 2000 Actual – Document management and document assembly systems implemented; preliminary design of case management system begun</p> <p>FY 2001 Actual – See next page</p> <p>FY 2002 Actual – See next page</p>

Objective 1 (continued)		
Performance Goals	Component	Experience
<p>Goal 4.1.1 (continued)</p> <p>Develop integrated electronic case processing system that offers electronic access to customers as required by the Government Paperwork Elimination Act (GPEA) and streamlines internal case processing in accordance with MSPB's long-term Strategic IT Plan</p> <p>FY 2003 Goal – Implement the following components of the electronic case processing system: (1) Law Manager - new case management system that integrates case tracking with document management, document assembly, and electronic calendar; and (2) e-Appeal – web-based application that appellants may use to file an appeal</p> <p>FY 2004 Goal – Continue to enhance the electronic case processing system, building on prior years' experience, by: (1) enhancing e-Appeal to include additional filings by parties; and (2) expand electronic publishing of MSPB orders and decisions through electronic distribution directly to the parties</p>	<p>Chairman, Chief of Staff, OCB, IRM, FAM</p>	<p>FY 2001 Actual – Case management system design finalized to include interfaces with Docs Open, Hot Docs, and Lotus Notes; fill-in versions of Appeal Form and PFR Form developed and placed on website; work on revising Appeal Form to provide basis for electronic filing application begun; Action Plan for implementation of electronic filing developed and distributed internally; meeting with potential contractors to develop electronic filing application begun</p> <p>FY 2002 Actual – Continued work with contractor on development of case management system, including testing of partial implementations and data conversions; completed revisions to Appeal Form, distributed internally for comment, evaluated comments, revised form to create Appeal Forms Package that will serve as basis for electronic filing application, and published for public comments in accordance with the PRA; wrote Statement of Work (SOW) and Functional Requirements Document (FRD) for development of electronic filing application</p>

Objective 2 – Improve electronic access via the Internet and other available resources to MSPB case-related decisions, procedures and guidance (Renumbered – previously Objective 5)		
Performance Goals	Component	Experience
<p>Goal 4.2.1 (Renumbered – previously 4.5.1)</p> <p>Make final Board decisions, reports and other publications, the MSPB Appeal Form and other forms, Board regulations, the OPE newsletter, and other information available on the MSPB website; provide information to customers in electronic form when requested</p> <p>See next page for FY 2003 and FY 2004 goals</p>	<p>Chairman, Chief of Staff, OCB, IRM</p>	<p>FY 1999 Actual – The MSPB website (launched in 1994) continued to provide access to final Board decisions, reports and other publications, the MSPB Appeal Form and other forms, Board regulations, the OPE newsletter, and other information; information provided to customers in electronic form when requested</p> <p>FY 2000 Actual – Redesigned MSPB website launched; continued to provide all information as before, but new search tool for Board decisions included, and link to GPO Access files of Board regulations replaced by MSPB files that are continuously updated as regulations are revised; information provided to customers in electronic form when requested</p> <p>FY 2001 Actual – See next page</p> <p>FY 2002 Actual – See next page</p>

Objective 2 (continued)		
Performance Goals	Component	Experience
<p>Goal 4.2.1 (continued)</p> <p>Make final Board decisions, reports and other publications, the MSPB Appeal Form and other forms, Board regulations, the OPE newsletter, and other information available on the MSPB website; provide information to customers in electronic form when requested</p> <p>FY 2003 Goal – Complete adding <i>all</i> pre-1994 Board decisions to decisions database on website; redesign website to improve access to information; continue to provide information to customers in electronic form when requested</p> <p>FY 2004 Goal – Continue to provide all information as before on the MSPB website and add new information in response to customer needs; continue to provide information to customers in electronic form when requested</p>	Chairman, Chief of Staff, OCB, IRM	<p>FY 2001 Actual – Began adding key precedential Board decisions issued from inception of MSPB (1979) to 1994 to the decisions database on the MSPB website; testing of listservs for decisions and studies completed and implementation begun; fill-in versions of Appeal Form and PFR Form developed and placed on website; conversion to electronic distribution of decisions to publishers completed; information provided to customers in electronic form when requested</p> <p>FY 2002 Actual – Completed adding key precedential Board decisions issued from inception of MSPB (1979) to 1994 to the decisions database on the MSPB website; began adding <i>all</i> pre-1994 decisions to website database; listservs for decisions and studies implemented; information provided to customers in electronic form when requested</p>

Objective 3 – Identify, test, and implement, as appropriate, new technologies that will increase efficiency, reduce costs, and improve customer service (Renumbered – previously Objective 6)		
Performance Goals	Component	Experience
<p>Goal 4.3.1 (Revised and renumbered – previously 4.6.2) Make improvements in information technology security program and comply with the Federal Information Security Management Act of 2002</p> <p>FY 2003 Goal – Provide security awareness training to all staff; revise security plans for implementation of new case management system and electronic filing application; continue to enhance security and contingency planning</p> <p>FY 2004 Goal – Provide security awareness training to all staff; revise security plans as needed, based on experience with electronic filing application, for implementation of enhancements to application and implementation of electronic publishing; continue to enhance contingency planning as funds permit</p>	Chairman, Chief of Staff (CIO), IRM	<p>FY 1999 Actual – Not applicable (new goal in FY 2002)</p> <p>FY 2000 Actual – Not applicable (new goal in FY 2002)</p> <p>FY 2001 Actual – Not applicable (new goal in FY 2002)</p> <p>FY 2002 Actual – Conducted security awareness training for all employees; sent one IRM employee to security training; completed Security Plan; updated Risk Analysis; completed Contingency Plan for major systems</p>

Revisions to Performance Goals:

Former Objectives 1 and 2 and Associated Goals – The former Objectives 1 and 2 and their associated goals (former Goals 4.1.1 and 4.2.1) have been deleted. Complying with GPRA and allocating resources effectively are incorporated into normal agency operations. Experience with these goals in the past two years has shown that they do not develop particularly useful performance information.

Renumbered Objective 1 and Goal 4.1.1 – The former Objectives 3 and 4 have been combined into a single objective and renumbered. Accordingly, the former Goals 4.3.1 and 4.4.1 have been combined into a single goal and renumbered. Combining these separate objectives and goals results in a single objective and goal covering all components of the agency’s planned electronic case processing system. (NOTE: Actual results in the “Experience” column are a combination of the results previously reported separately for former Goals 4.3.1 and 4.4.1.)

Renumbered Objective 2 and Goal 4.2.1 – The former Objective 5 has been renumbered as Objective 2, and the former Goal 4.5.1 has been renumbered as Goal 4.2.1. The FY 2003 goal has been revised to include specific projects related to the MSPB website that are scheduled for completion in that year.

Renumbered Objective 3 and Goal 4.3.1 – The former Objective 6 has been renumbered as Objective 3, and the former Goal 4.6.2 has been revised and renumbered as Goal 4.3.1. The revisions reflect current agency initiatives to enhance computer security in compliance with the Federal Information Security Management Act of 2002 (which replaced GISRA). FAM has been deleted as a “Component” responsible for the achievement of this goal, which is principally the responsibility of IRM.

Former Goal 4.6.1 – This goal has been deleted. Keeping abreast of improvements in information technology, evaluating them for application to MSPB operations, and implementation as needed are part of the continuing responsibilities of IRM and need not be included as a Performance Plan goal.

Strategic Plan Goal 5 To develop the MSPB’s human resources to ensure a continually improving, highly effective and efficient organization with the flexibility to meet program needs		
Objective 1 – Recruit, train, and retain skilled, highly motivated employees to effectively and efficiently accomplish the MSPB mission		
Performance Goals	Component	Experience
Goal 5.1.1 (Revised and renumbered – previously 5.1) Strengthen employee and management development programs and increase opportunities for MSPB employees See next page for FY 2003 and FY 2004 goals	Chief of Staff, FAM, All Offices	<p>FY 1999 Actual – 5 employees sent to OPM’s Management Development Centers; OAC attorneys detailed on rotating basis to Vice Chairman, which gave each employee a broader understanding of the various MSPB organizations and how they interact</p> <p>FY 2000 Actual – 6 employees sent to OPM’s Management Development Centers; OAC attorneys detailed to Vice Chairman/Acting Chairman on rotating basis, which gave each employee a broader understanding of the various MSPB organizations and how they interact; OAC attorneys detailed on rotating basis to OCB for Expedited PFR Pilot Program</p> <p>FY 2001 Actual – See next page</p> <p>FY 2002 Actual – See next page</p>

Objective 1 (continued)		
Performance Goals	Component	Experience
<p>Goal 5.1.1 (continued)</p> <p>Strengthen employee and management development programs and increase opportunities for MSPB employees</p> <p>FY 2003 Goal – Develop core and advanced training and development programs for key MSPB occupations; provide training for employees in accordance with Individual Development Plans (IDPs); provide developmental details between offices; provide management training</p> <p>FY 2004 Goal – Continue activities from FY 2003; develop mentoring programs for new employees in key MSPB occupations</p>	<p>Chief of Staff, FAM, All Offices</p>	<p>FY 2001 Actual – 6 employees sent to OPM’s Management Development Centers and 4 employees sent to Federal Executive Institute (FEI); 1 OAC attorney detailed to Dallas field office for 2 months; 1 regional office attorney detailed to ORO for 6 months; OAC and OGC attorneys detailed to Chairman and Vice Chairman; OAC attorneys detailed on rotating basis to OCB for Expedited PFR Pilot Program</p> <p>FY 2002 Actual – 5 employees sent to OPM’s Management Development Centers and 2 employees sent to Federal Executive Institute (FEI); details to Board members and ORO continued; OAC attorney detailed to OCB for Expedited PFR Pilot Program until 3/1/02 when responsibility for program was reassigned to OAC</p>

Objective 1 (continued)		
Performance Goals	Component	Experience
<p>Goal 5.1.2 (New) Develop agency-wide recruitment strategies to ensure MSPB hires from a variety of sources to ensure a diverse, highly qualified workforce</p> <p>FY 2003 Goal – Identify internal barriers to the movement of staff between MSPB offices</p> <p>FY 2004 Goal – Expand use of direct-hire programs; request waiver of OPM regulations, if necessary</p>	Chief of Staff, All Offices	<p>FY 1999 Actual – Not applicable (new goal in FY 2003)</p> <p>FY 2000 Actual – Not applicable (new goal in FY 2003)</p> <p>FY 2001 Actual – Not applicable (new goal in FY 2003)</p> <p>FY 2002 Actual – Not applicable (new goal in FY 2003)</p>
<p>Goal 5.1.3 (Renumbered – previously 5.3) Conduct a biennial legal conference for MSPB administrative judges and headquarters attorneys</p> <p>FY 2003 Goal – Conduct legal conference</p> <p>FY 2004 Goal – Make plans for 2005 legal conference</p>	OCB, with participation of other legal offices	<p>FY 1999 Actual – None (legal conference held in September 1998)</p> <p>FY 2000 Actual – Made plans for 2001 legal conference</p> <p>FY 2001 Actual – Legal conference held May 21-24, 2001</p> <p>FY 2002 Actual – Began planning 2003 legal conference</p>

Revisions to Performance Goals:

Renumbered Goal 5.1.1 – The former Goal 5.1 has been renumbered, and the wording has been revised. The goal for FY 2003 has been revised—and the goal for FY 2004 has been established—to focus on the agency’s current plans for training and development programs rather than on numbers of employees sent to various training programs and detailed to other offices.

New Goal 5.1.2 – This is a new goal reflecting the agency’s current plans with respect to development of new recruitment strategies.

Renumbered Goal 5.1.3 – The former Goal 5.3 has been renumbered, and the responsible “Component” has been changed to “OCB, with participation of other legal offices,” to reflect the reassignment of responsibility for planning the 2003 Legal Conference from ORO to OCB.

Former Objectives 2 and 3 and Former Goals 5.2 and 5.4 – The former Objectives 2 and 3 and former Goals 5.2 and 5.4 have been deleted. Experience with these objectives and goals in the past two years has shown that they do not develop particularly useful performance information.

Former Goal 5.5 – The former Goal 5.5 has been deleted because succession planning is now incorporated in revised (and renumbered) Goal 5.1.1.

APPENDIX I – DEVELOPMENT AND MEASUREMENT OF PERFORMANCE GOALS

Strategic Plan Goal 1

Development of Performance Goals

The performance goals for Strategic Plan Goal 1 were developed by reviewing and evaluating historical workload data and survey results from previous customer surveys. The data on which the performance goals were based were determined to be indicative of decision quality, case processing efficiency, and fairness of the process. The goals were based on the following assumptions: (1) case receipts will remain fairly stable, with the usual mix of case types; (2) staff resources will remain relatively constant; and (3) adequate funding will be provided by Congress.

With respect to Goal 1.1.1, it should be noted that while the reversal/remand rate is one indicator of the quality of decisions issued by MSPB administrative judges, it is not a perfect measure of decision quality. A reversal or remand may be required by the enactment of a new law or the issuance of a new precedential decision by the Board or the U.S. Court of Appeals for the Federal Circuit *after* the administrative judge issued his or her initial decision. In such instances, the reversal or remand generally should not be considered a reflection on the quality of the administrative judge's decision.

With respect to Goal 1.1.2, the Board may return a proposed decision to a headquarters legal office for rewrite for similar reasons. Rewrites also may reflect a disagreement with the proposed decision and/or its analysis, a direction to explore alternative approaches or to conduct further research and analysis, an announcement of a change in policy, or a direction to undertake settlement efforts. The data for rewrite cases include both those the Board sends back with a Rewrite Instruction and those where the Board makes minor edits and returns the case to the originating office for review.

With respect to Goal 1.2.1, the average case processing time in the MSPB regional offices is affected by a number of factors. These include normal variations in case receipts from year to year, substantial increases in receipts that result from major downsizing by agencies, the number of cases presenting similar issues that can be consolidated for processing, and the number of cases that raise issues of first impression—especially when legislation is enacted that makes new matters appealable to the Board or extends appeal rights to additional employees.

With respect to Goal 1.2.2, the average case processing time at the Board's headquarters is affected by the same external factors as cases processed in the regional offices. In addition, other factors come into play, such as vacancies on the 3-member Board. While cases in the regional offices are decided by about 70 administrative judges, virtually all of the cases closed at headquarters are decided

by the 3-member Board. Currently, there is one vacancy on the Board for which no nominee has been submitted to the Senate for confirmation. (A nomination submitted in 2002 was subsequently withdrawn.) One Board member's term expired March 1, 2002, and she is currently holding over under the statutory provision that allows a Board member to serve for up to one year beyond the expiration of her term, or until a successor is confirmed, whichever occurs first. A nomination to fill that position has been submitted to the Senate and is pending. Achievement of the case processing goals at headquarters will depend to a great extent on these vacancies being filled.

Also with respect to Goal 1.2.2, it should be noted that Board initiatives to close overage pending cases can be expected to result in an *increase* in the average processing time in any year in which a large number of overage cases are closed. The Board has placed greater emphasis on closing overage cases in the past several years. It first targeted cases over a year old, but once a significant reduction in the number of such cases was achieved, the target was lowered to cases over 300 days old. In addition, enforcement cases, which previously had not been included in the initiative and which generally take longer to process, were added.

With respect to Goal 1.3.1, the target for average case processing cost was set based on historical trends, with primary consideration given to the effect of annual increases in the operating costs that most affect case processing—salaries and benefits, travel expenses, and the cost of court reporting services. Normal year-to-year variations in the number of cases processed affect the average case processing cost because the Board does not lay off staff when the caseload goes down nor does it hire additional staff when the caseload goes up. To do so would be both inefficient and costly, given the costs and time involved in hiring and training new employees and the costs and morale problems associated with terminating employees. Therefore, in setting the target for this goal, the Board has developed an adjustment factor that takes year-to-year variations in the number of cases processed into account. The adjustment factor also recognizes that the MSPB is currently implementing various components of its planned electronic case processing system, which is increasing costs in the short-term, and amortizes those capital costs over a 4-year period.

Responsibilities

The responsibility for meeting these performance goals rests principally with the Board members and the MSPB legal offices, including administrative judges in the regional offices, attorneys in the headquarters legal offices, and support staff in both. The MSPB currently has an interagency agreement with the National Labor Relations Board (NLRB) for adjudicatory services in cases that must be heard by an administrative law judge (ALJ). Such cases are adjudicated by ALJs at the NLRB, with a MSPB attorney providing liaison services. The Chairman will assign targets for individual offices to meet, where appropriate, and through the Chief of Staff, Chief Counsels, and the other Board members, will monitor their progress. The Board members determine the targets for processing in the Board offices.

The responsibility for conducting customer surveys rests with OPE. The MSPB has received limited approval from OMB under the Paperwork Reduction Act to conduct periodic customer surveys.

The responsibility for tracking case processing costs rests with FAM.

Performance Measurement

The MSPB will measure its achievement of these goals primarily through data obtained from the agency's case management system (CMS), including data on remands, rewrites, case processing times, and the outcomes of court decisions. By monitoring this data on a regular basis, the Chairman, Chief of Staff, and MSPB managers can determine whether the agency is on track to meet the goals. In addition to this quantitative data, managers of the legal offices will make qualitative assessments of decisions written by administrative judges and headquarters attorneys to ensure that decision quality standards are being applied consistently throughout the agency.

Data on case processing costs is developed by FAM using both case processing data from CMS and agency financial data. The agency focuses on specific components of case processing where costs can be reduced, such as the cost of administrative judges traveling to and conducting hearings. Despite reductions in component costs where they can be achieved, the average case processing cost is expected to rise. Over 70 percent of MSPB case processing costs are accounted for by staff salaries and benefits, which increase annually. Much of the remainder goes for travel by MSPB judges to conduct hearings and the cost of court reporting services—both costs that also increase annually. Therefore, the focus with respect to the average case processing cost is to hold annual increases to a percentage that is no more than the annual percentage increase in operating costs, adjusted for the year-to-year variations in the number of cases processed and for the amortized cost of the planned electronic case processing system.

Customer surveys involving case adjudication will be initiated by the Board or the Chairman and will be conducted by OPE. That office will evaluate responses and provide survey results to the Board, Chief of Staff, and managers of the legal offices.

Strategic Plan Goal 2

Development of Performance Goals

The performance goals for Strategic Plan Goal 2 were developed by reviewing and evaluating historical data on MSPB settlement programs. The data on which these goals were based were determined to be indicative of the Board's success in using ADR to resolve cases filed at both the regional and headquarters levels. The goals were based on the assumption that the MSPB will continue to maintain a corps of trained legal staff with the skill to promote acceptance of ADR by the parties.

New Goal 2.1.3 reflects implementation of the new Mediation Appeals Project (MAP), a pilot project that is available to parties in appellate proceedings before MSPB administrative judges in selected pilot sites. During FY 2002, MSPB staff worked with a contractor to develop MAP, solicited applications from MSPB employees to participate in the project as mediators, conducted mediation training, promoted MAP, and conducted the first two co-mediations. Plans for FY 2003 include additional training of both mediators and MSPB staff in the regional offices that are serving as pilot sites, outreach to potential participants to advise them of the availability of the program, acceptance of additional cases into the program, and evaluation of the pilot project by the contractor. The MAP is a supplement to, not a replacement for, the Board's existing settlement programs.

As explained in the discussion of revisions to the performance goals under Strategic Plan Goal 2, the previous objectives and goals relating to a voluntary early intervention ADR pilot program have been deleted from the Performance Plan because legislation authorizing such a program was not enacted.

Responsibilities

The responsibility for meeting these performance goals rests principally with the Board members, Chief of Staff, ORO (including the regional offices), OAC (the office that conducts the PFR Settlement Program at headquarters), and support staff. The Mediation Appeals Project is managed by an OAC attorney, assisted by an OGC attorney, and is being conducted with a contractor.

Performance Measurement

The MSPB will measure its achievement of these goals primarily through data obtained from the agency's case management system (CMS), including data on numbers and types of cases processed and numbers of cases settled. By monitoring this data on a regular basis, the Chairman, Chief of Staff, and MSPB managers can determine whether the agency is on track to meet the goals.

Strategic Plan Goal 3

Development of Performance Goals

The performance goals for Strategic Plan Goal 3 were originally developed by reviewing and evaluating historical data on MSPB studies and survey results from previous customer surveys. The data on which the goals were based were determined to be indicative of the extent to which MSPB studies fulfill their statutory purpose of ensuring that Federal agencies operate in accordance with the merit system principles and that Federal merit systems are kept free from prohibited personnel practices. With the appointment of a new OPE Director in June 2002, the goals were re-evaluated. The revised goals in this Plan have been expanded to include several new activities aimed at increasing both the number and impact of MSPB studies. The goals continue to be based on the following assumptions: (1) staff resources will remain relatively constant; and (2) adequate funding will be provided by Congress.

Responsibilities

The responsibility for meeting these performance goals rests principally with the OPE staff. OPE is responsible for coordinating with other agencies that conduct research on civil service matters, primarily GAO and OPM, in order to avoid duplicative efforts. The Board approves all proposals for merit systems studies and also approves the final reports before issuance.

Performance Measurement

The MSPB will measure its achievement of these goals primarily through measuring awareness of MSPB studies and use of the recommendations in the studies. The OPE staff will monitor Administration, agency, and congressional actions that reflect the impact of the information, analyses, and recommendations derived from the studies. The OPE staff will also review the media and professional literature to identify instances where opinion makers cite MSPB studies as authoritative sources of information or analyses. OPE will conduct periodic customer surveys and focus groups to obtain customer feedback. The MSPB will use quantitative measures where appropriate, such as the number of studies conducted and the number of reports and newsletters issued.

Strategic Plan Goal 4

Development of Performance Goals

The performance goals for Strategic Plan Goal 4 are considered to be the most critical e-Government goals to support the MSPB's statutory missions. As revised, Goal 4.1.1 now covers development and implementation of all components of the agency's planned electronic case processing system. This goal is derived from the agency's 5-year IT plan and is meant to ensure that the MSPB complies with the Government Paperwork Elimination Act (GPEA) by the October 2003 deadline. Goal 4.2.1 for electronic availability of MSPB information is a continuation of a goal established when the MSPB launched its website in 1994. Goal 4.3.1 supports an improved information technology security program that complies with the requirements of the Federal Information Security Management Act of 2002 (which replaced GISRA). The goals are based on the following assumptions: (1) staff resources will remain relatively constant; (2) adequate funding will be provided by Congress; and (3) adequate technical and program resources will be available.

Responsibilities

The Chief of Staff, as CIO, has overall responsibility for the achievement of the agency's e-Government and information technology goals. The responsibility for development and implementation of the various internal components of the electronic case processing system rests with IRM, using both IRM staff and contractors. The project manager for the electronic filing component of the system is OCB, with IRM responsible for technical requirements. All offices participated in the development of requirements for the various components of the system, and all offices are participating in the testing of components as they are brought on-line. OCB is also responsible for electronic information dissemination and maintenance of the MSPB website, with all other offices responsible for providing content for the site in their respective operational areas. The information technology security program responsibility is delegated by the CIO to the IRM Director, who serves as the agency's Security Officer.

Performance Measurement

With respect to the planned electronic case processing system, measures of performance will include implementation of the components of the system on schedule, systems availability and responsiveness to user needs, and results of user surveys. Measurement of the goal for electronic availability of MSPB information will rely primarily on customer feedback. The goal of improving the agency's information technology security program will be measured both through internal reviews and periodic independent evaluations.

Strategic Plan Goal 5

Development of Performance Goals

The performance goals for Strategic Plan Goal 5 are considered to be the most critical human resources management (HRM) goals to support the MSPB's statutory missions. The goals are intended to enable the MSPB to continue to maintain a highly qualified, diverse workforce in the face of the expected retirements of many experienced staff members in the next few years. Training for employees is also especially critical because the increasing use of information technology is changing the nature of work at the MSPB. The goals are based on the following assumptions: (1) staff resources will remain relatively constant; and (2) adequate funding will be provided by Congress.

Responsibilities

The responsibility for meeting these performance goals rests primarily with the Chief of Staff and office managers. Human resources policy matters are the responsibility of FAM, and that office also manages the interagency agreement under which APHIS Business Services in Minneapolis performs day-to-day human resources management functions for the MSPB. The EEO Director is responsible for the agency's EEO program, including promoting diversity among MSPB offices, processing discrimination complaints, and making arrangements for accommodation of employees with disabilities. OCB has the principal responsibility for planning the next legal conference, with the participation of the other legal offices.

Performance Measurement

The MSPB will measure its achievement of these goals primarily by reviewing agency workload data, monitoring work processes, assessing training and development outcomes, and assessing individual and organizational accomplishments. Quantitative measures will also be used, where appropriate.

APPENDIX II – INTERIM ADJUSTMENT TO STRATEGIC PLAN, FY 2001-FY 2006

Strategic Plan Goal 1

Under “Performance Indicators,” revise the 5th bullet to read: “Average case processing times for initial decisions and petitions for review of initial decisions.”

Under “Responsible Functions,” in the 1st bullet, delete “Clerk” from the list of offices responsible for “Decision Quality Standards.”

Strategic Plan Goal 2

Revise the description of this Strategic Plan Goal to read: “To make effective use of alternative methods of dispute resolution in Board proceedings.” (Make this same change under “Mission” on page 1.)

Under “Objectives,” delete Objectives 2 and 3.

Under “Assumptions/Factors Affecting Outcome,” delete the 2nd and 4th bullets.

Under “Performance Indicators,” delete the 2nd, 3rd, and 4th bullets.

Under “Responsible Functions,” in the 1st bullet, delete “Clerk” from the list of offices responsible for “Numbers and types of cases.” Delete the 2nd and 3rd bullets.

Strategic Plan Goal 3

Minor changes in wording have been made to clarify Objective 1.

Under “Performance Indicators,” revise the 1st bullet to read: “Number of MSPB reports and *Issues of Merit* newsletters issued.”

Strategic Plan Goal 4

Under “Objectives,” delete Objectives 1, 2, 3 and 4. Insert a revised Objective 1 to read as follows: “Develop and implement an integrated electronic case processing system that allows appellants and agencies to file and receive documents electronically and

streamlines internal case processing.” (This is a combination of the former Objectives 3 and 4.) Renumber Objectives 5 and 6 as Objectives 2 and 3, respectively.

Under “Performance Indicators,” delete the 1st bullet.

Under “Responsible Functions,” delete the 1st bullet.

Strategic Plan Goal 5

Under “Objectives,” delete Objectives 2 and 3.

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